

Notice of Allowability

Application No.

09/707,410

Examiner

Kaveh Abrishamkar

Applicant(s)

NOWLIN, DAN H.

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Request for Continued Examination (RCE) filed on 3/23/2007.
2. ☒ The allowed claim(s) is/are 1,2,5,7-11,14-21 and 24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 3/23/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 6/11/07
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


AYAZ SHEIKH

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph Lutz (Reg. No. 43,765) on June 15, 2007.

The application has been amended as follows:

1. Claims 3 and 6 are cancelled per this Examiner's Amendment.
2. Claim 1 (Currently Amended): A computer system comprising:
 - a first memory subsystem to store a full operating system (OS) and a mini operating system;
 - a mechanical switch having a first state and a second state;
 - a first circuit to execute a boot code and to determine a state of the mechanical switch at power-on; and
 - a second circuit to boot the full OS as a primary OS of the computer system if the first circuit determines that the mechanical switch is in the first state at power-on and to boot the mini OS as the primary OS of the computer system if the first circuit determines that the mechanical switch is in the second state at power on, wherein the mechanical switch has a third and a fourth state, the second circuit to boot the full OS as the

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primary OS of the computer system and to make the full OS the default OS if the first circuit determines that the mechanical switch is in the third state at power-on, and to boot the mini OS as the primary OS of the computer system and to make the mini OS the default OS if the first circuit determines that the mechanical switch is in the fourth state at power-on, and wherein the mechanical switch has a fifth state, the second circuit to boot the default OS as the primary OS of the computer system if the first circuit determines that the mechanical switch is in the fifth state at power-on, the default OS being either the full OS or the mini OS based on user-defined setting in the computer system.

Claim 2 (Currently Amended): The computer system of claim 1, further comprising a storage location to store a point to a the default OS.

REASONS FOR ALLOWANCE

1. Claims 1-2, 5, 7-11, 14-21, and 24 are allowed.
2. The following is an examiner's statement of reasons for allowance:
3. The above-mentioned claims are allowable over the Cited Prior Art (CPA), because the CPA does not teach or render obvious all of the limitations in the independent claims 1, 11, and 21, and the subsequent dependent claims.

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4. The CPA in particular does not disclose a switch which has five states, which select either a mini OS or a full OS as the primary operating system, depending on which state the switch is in, wherein two of the states select either the full OS or the mini OS as the primary OS, and then, set the selected OS as the default OS, which is booted when the switch is in a state which does not explicitly select either the mini OS or the full OS.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

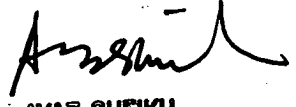
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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06/15/2007


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